

and to act as such without the consent, joinder or assistance of their husbands, and to make valid and admit to record upon her acknowledgment in form as though she were a single woman such instruments so executed by her in such fiduciary characters as the law authorizes or requires to be recorded."

And find the same correctly engrossed.
STAPLES, Acting Chairman.

MAIL CARRIER AD INTERIM APPOINTED.

The Chair (President Pro Tem. Miller) here laid before the Senate and had read the following appointment:

I hereby appoint Dan Oliver, Senate porter, special porter to carry the mail to and from the Senate Chamber, beginning March 1, and ending March 5, and he is hereby relieved of all other duties as porter during this time.

BARRY MILLER,
President Pro Tem. of the Senate.

ADJOURNMENT.

On motion of Senator Neal, the Senate, at 10:40 o'clock a. m., adjourned until Tuesday, March 5, at 10 o'clock a. m.

THIRTY-THIRD DAY.

Senate Chamber,
Austin, Tex., Tuesday, March 5, 1901.
Senate met pursuant to adjournment.
Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Present—26.

Beaty.	Odell.
Davidson of	Patterson.
DeWitt.	Paulus.
Davidson of	Potter.
Galveston.	Savage.
Dibrell.	Sebastian.
Goss.	Stafford.
Hanger.	Staples.
Harris of Bexar.	Swann.
Harris of Hunt.	Turney.
Lipscomb.	Wayland.
Lloyd.	Wheeler.
Miller.	Wilson.
Neal.	Yett.

Absent—4.

James.	McGee.
Johnson.	Turner.

Absent—Excused.

Grinnan.

Prayer by Rev. Dr. C. Polk Goodson, of Austin.

Pending the reading of the Journal of last Friday,

On motion of Senator Patterson, the same was dispensed with.

EXCUSED.

On motion of Senator Savage, Senator Lipscomb was excused for non-attendance upon the Senate last Friday on account of important business.

On motion of Senator Wheeler, Senator Yett was excused for non-attendance upon the Senate last Thursday and Friday on account of important business.

On motion of Senator Harris of Bexar, Senator Harris of Hunt was excused for non-attendance upon the Senate last week on account of sickness:

On motion of Senator Wayland, Senator Davidson of DeWitt was excused for non-attendance upon the Senate last Friday on account of important business.

On motion of Senator Patterson, Senator Dibrell was excused for non-attendance upon the Senate last Wednesday, Thursday and Friday on account of important business.

On motion of Senator Stafford, Senator Hanger was excused for non-attendance upon the Senate all of last week on account of important business.

On motion of Senator Wilson, Senator Sebastian was excused for non-attendance upon the Senate all of last week on account of official business.

On motion of Senator Wilson, Senator McGee was excused for non-attendance upon the Senate all of last week on account of official business.

On motion of Senator Sebastian, John L. Stevenson, Enrolling Clerk of the Senate, was excused from his duties for this week on account of sickness in his family.

PETITIONS AND MEMORIALS.

Senator Potter presented a petition from the citizens of Sherman, Texas, asking an appropriation of \$25,000 for the Texas Volunteer Guard.

Read, and referred to Committee on Finance.

Senator Sebastian presented a memorial from citizens of Cisco, Texas, asking an amendment to the local option law making shipments of liquor by express to local option districts bona fide sales of such.

Read, and referred to Committee on State Affairs.

COMMITTEE REPORTS.

The following committee reports were made to the Senate:

Committee Room,
Austin, Texas, March 5, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Public Lands and Land Office, to whom was referred

Senate bill No. 202, being a bill to be entitled "An Act to create King county into a separate land district,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

Floor report.

SEBASTIAN, Chairman.

Committee Room,
Austin, Texas, March 1, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 56, being a bill to be entitled "An Act requiring disinfecting of vessels arriving at ports within this State in compliance with quarantine proclamation of the Governor,"

And find the same correctly engrossed.

BEATY, Chairman.

Committee Room,
Austin, Texas, February 28, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 140, being a bill to be entitled "An Act to amend Articles 529, 529e and 529g, and repealing Article 529l, of Chapter 56, of the General Laws of the State of Texas of 1899, and adding Articles 529v and 529w to Chapter 5, Title XIII, of the Revised Penal Code of the State of Texas of 1895; and amending Article 529s, of Chapter 98, of the General Laws of the State of Texas of 1897, relating to the offenses for the protection of fish, birds, game, etc., and repealing all laws in conflict herewith,"

And find the same correctly engrossed.

BEATY, Chairman.

Committee Room,
Austin, Texas, March 1, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed

Bills have carefully examined and compared

Senate bill No. 84, being a bill to be entitled "An Act to provide for the purchase of public lands in quantities of five acres or less, situated on islands, by actual settlers who have settled on and placed valuable improvements thereon in good faith, or to their heirs or legal representatives prior to the first day of January, 1895, and prescribing the price, terms and manner and time of such purchase,"

And find the same correctly engrossed.

BEATY, Chairman.

Committee Room,
Austin, Texas, March 1, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 69, being a bill to be entitled "An Act passed by the Twenty-fifth Legislature, entitled 'An Act to amend Article 976, Chapter 8, Title XXVII, of the Revised Civil Statutes of the State of Texas, relating to the payment of costs and returning mandates in the Supreme Court, by adding thereto Article 976a, regulating the time in which mandates may be taken out of the Supreme Court,'"

And find the same correctly engrossed.

BEATY, Chairman.

Committee Room,
Austin, Texas, March 5, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 181, being a bill to be entitled "An Act to ascertain and adjudicate by suit against or by the State certain claims against or in favor of the State for land lying between the Nueces and the Rio Grande rivers; to adjust and settle the rights of the State and the owners or claimants thereof, respectively, of such lands, and if found valid to confirm, as against the State, the right and title of such claimants or owners, and patent the same, or the recovery thereof by the State,"

And find the same correctly engrossed.

BEATY, Chairman.

BILLS AND RESOLUTIONS.

By Senator Staples:

Senate bill No. 232, A bill to be entitled "An Act to repeal Section 14, Chapter

164, of the Acts of the Twenty-fifth Legislature, relating to a uniform system of text-books."

Read first time, and referred to Committee on Education.

By Senator Patterson:

Senate bill No. 233, A bill to be entitled "An Act to amend Article 3194, Title LXII, Chapter 7, of the Revised Civil Statutes of the State of Texas, relating to jury fees, and to repeal all laws and parts of laws in conflict herewith."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Lipscomb:

Senate bill No. 234, A bill to be entitled "An Act to provide for the payment of fees of district clerks in tax suits under the Colquitt Tax Act where the suits were dismissed before trial and not reduced to judgment, and to make appropriations therefor, and declare an emergency."

Read first time, and referred to Judiciary Committee No. 1.

By Senators Savage, Wheeler and Grinnan:

Senate bill No. 235, A bill to be entitled "An Act to amend Article 402, of Title II, of the Penal Code of the State of Texas, relating to the selling of intoxicating liquor in prohibition districts."

Read first time, and referred to Committee on State Affairs.

By Senators Stafford and Dibrell:

Senate bill No. 236, A bill to be entitled "An Act to amend Section 6 of an act entitled 'An Act to define and regulate fraternal beneficiary societies, orders or associations; to prescribe the terms and conditions on which such societies organized under the laws of other States or those doing business in any other State, may be permitted to do business in Texas, and to define the duties of the Commissioner of Insurance in this State in relation thereto; providing for the incorporation of societies,' being Chapter 115 of the General Laws passed by the Twenty-sixth Legislature at its Regular Session, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Turney:

Senate bill No. 237, A bill to be entitled "An Act to reorganize the Forty-first Judicial District of Texas; to prescribe the time of holding the district court therein; to make the term of the Thirty-fourth Judicial District, in El Paso county, to conform thereto; to provide for a district attorney for the Forty-first Judicial District in said El Paso county; and to provide for a clerk of the district

court of the Forty-first Judicial District in said El Paso county; and empowering the district court of the Thirty-fourth Judicial District to empanel the grand jury for said county; and giving authority to the judges of either of said two courts in said El Paso county to transfer causes from their respective courts to the other of said courts; and to repeal all laws and parts of laws in conflict herewith."

Read first time, and referred to Committee on Judicial Districts.

By Senator Potter:

Senate bill No. 238, A bill to be entitled "An Act to amend Section 4 of the act of the Called Session of the Twenty-sixth Legislature, approved February 21, 1900, relating to the selection of the trustees in independent school districts."

Read first time, and referred to Committee on Education.

By Senator Wilson:

Senate bill No. 239, A bill to be entitled "An Act to amend Chapter 1, of Title IX, of the Revised Statutes of Texas, by adding Article 142a, providing what fees shall be paid county attorneys, county clerks and sheriffs in lunacy cases."

Read first time, and referred to Judiciary Committee No. 1.

Senator Wilson offered the following resolution:

Resolved, That hereafter when any employe of the Senate leaves his or her post of duty without the advice and consent of the President of the Senate he or she shall be forthwith discharged.

Read second time, and

Senator Davidson of DeWitt offered the following amendment:

"After the word 'employe' add the words 'or officer.'"

Amendment was read, and adopted, and

Senator Stafford offered the following amendment:

"Amend by inserting the word 'wilfully' after the word 'Senate' and before the word 'leaves.'"

Amendment was read, and adopted.

The resolution as amended was then adopted.

The Chair here declared the morning call concluded.

FIRST HOUSE MESSAGE.

The following first House message was delivered to the Senate:

Hall of the House of Representatives,
Austin, Texas, March 5, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: I am directed by the House to

inform the Senate that the House has passed the following bill:

Senate bill No. 15, A bill to be entitled "An Act to provide for the selection or appointment of special county judges in condemnation proceedings as provided for in Chapter 8, Title XCIV, of the Revised Civil Statutes of the State of Texas, when the county judge is disqualified."

Also the House has passed House Concurrent Resolution No. 16, relating to the action of the Comptroller in regard to certain claim agents securing pensions for ex-Confederate soldiers.

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

FIRST EXECUTIVE MESSAGE.

The following first executive message was delivered, and the Chair laid the same before the Senate:

To the Senate:

In compliance with the resolution of the Senate of February 27th, I have to submit the following:

On the 1st inst. there was a cash balance in the treasury, and to the credit of the general revenue, amounting to \$1,653,427.99. This balance, however, is apparent rather than real. Against it should be charged all outstanding warrants previously issued, but not presented for payment, and also all unexpended appropriations covered by incomplete contracts and by purchases for which warrants had not been issued. Again, there should be a further deduction of that due the available school fund out of this balance, and which is estimated to be not less than \$75,000. Owing to our very imperfect accounting system, it has not been possible to ascertain the exact amount of deductions that should be made in consequence of the liabilities mentioned, but it is entirely safe to say that the balance, as shown on the books of the treasury, is too large by at least \$175,000.

In his report, the late Comptroller—Mr. Finley—estimated the total receipts to the general revenue for the year ending August 31, 1901, at \$2,495,000. Assuming that this estimate will prove correct, there remains—after deducting therefrom \$1,891,675.32 already paid into the treasury—\$603,324.38 to be collected during the present fiscal year, as compared with \$887,296.22 during the like period of the last year. But we are here confronted with a certain deficiency in future collections growing out of the inability of the counties in the storm stricken district to pay all the taxes that

have been assessed against them. The remittances by the tax collectors to the Comptroller for the three months prior to March 1st, as compared with the like period in 1900, show a decrease of \$279,622.36 in revenue to the State and to the available free school fund. This shortage is due in part to the difference—three and one-third cents on the one hundred dollars—in the ad valorem State tax rate, and also to the suspension of the collection of all taxes in seventeen counties by the Act of January 30, 1901. The assessed values of property in these counties for the year 1900, and upon which the ad valorem tax for 1901 is based, as shown by the Comptroller's report, amount to \$122,788,747.

And here it may be pertinently remarked that not only the amount of revenue, but also the time and manner of its collection is important. The attention of the Senate is invited to the accompanying table for the year 1900, which may be taken as an average, showing that the ordinary expenditures from April 1st to October 1st are much greater than the receipts for those months.

Under the conditions stated it is submitted as certain that the total amount of general revenue available for appropriation by the Legislature, including the actual cash balance on March 1st, for the remainder of the present fiscal year will not exceed \$1,700,000, and that the sum total of appropriations made and to be made and of liabilities created and to be created against this fund cannot, with safety to the treasury, be greater than \$1,300,000.

The late Comptroller estimates the general revenue for the fiscal year ending August 31, 1902, at \$2,500,000, and assuming that the same amount will be realized for the year ending August 31, 1903, it follows that the sum total of revenue available for expenditure, should these estimates hold true, during the two years will be \$5,000,000.

How much of this last amount can be safely anticipated will depend altogether upon the actual cash balance in the treasury on September 1, 1901. If it should be so much as \$500,000, it is believed that as much as \$4,800,000 may be appropriated without danger for the two years ending August 31, 1903. The sum total of all appropriations and liabilities of whatever character made and created by the Legislature to be expended and met during the thirty months prior to September 1, 1903, should, therefore, not exceed \$6,100,000, and such appropriations and liabilities should be so arranged as to leave an actual cash balance in the treasury on the first day

of each September of not less than \$500,000. The conclusion is almost unavoidable that the appropriations and liabilities should be confined to the amount stated, and, if not so limited, the rate of taxation should be increased, in order that all warrants may be promptly paid when presented at the treasury. Otherwise depreciation will certainly follow.

The following appropriations have already been made by the Legislature:

Mileage and per diem of Legislature for the year ending August 31, 1901.....	\$110,000 00
Contingent expenses of Legislature for the year ending August 31, 1901.....	20,000 00
Stamps, etc., for Land Office for the year ending August 31, 1901.....	225 00
Supplies and provisions for eleemosynary institutions for year ending August 31, 1901	68,213 07
Asylum for epileptics (Abilene) for the year ending August 31, 1901.....	75,000 00
Same institution for the year ending August 31, 1902...	125,000 00
North Texas Normal (Denton) for the year ending August 31, 1902.....	20,000 00
Same institution for the year ending August 31, 1903...	20,000 00
	<hr/>
	\$438,438 07

JOSEPH D. SAYERS,
Governor

STATEMENT SHOWING THE RECEIPTS AND
DISBURSEMENTS OF GENERAL REVENUE FOR THE MONTHS
STATED, TOWIT:

1900.	Receipts.	Disbursements.
March	\$ 233,929 19	\$ 226,967 64
April	193,608 66	244,535 60
May	170,632 82	193,609 41
June	91,108 71	230,309 47
July	90,043 29	267,249 86
August	107,975 55	173,859 40
September ..	92,556 96	157,918 02
October	98,133 48	279,245 63
November ..	237,305 80	184,852 87
	<hr/>	<hr/>
	\$1,315,294 46	\$1,938,547 60

SENATE BILL NO. 74 (DOUBLE-
HEADER BILL)—SPECIAL OR-
DER—ON SECOND READ-
ING.

The Chair here laid before the Senate the special order of business, Senate bill No. 74 (double-header bill), on its second reading.

Senator Davidson of Galveston moved that the bill be postponed until Thursday, March 7, and be made a special order after the conclusion of the morning call.

(Senator Stafford in the chair.)

Motion to postpone prevailed by the following vote:

Yeas—13.

Beaty.	Paulus.
Davidson of Galveston.	Sebastian.
Dibrell.	Turney.
Lloyd.	Wayland.
Neal.	Wheeler.
Patterson.	Wilson.
	Yett.

Nays—11.

Hanger.	Potter.
Harris of Bexar.	Savage.
Harris of Hunt.	Stafford.
Lipscomb.	Staples.
Miller.	Swann.
Odell.	

Absent.

Goss.	Johnson.
James.	McGee.

Absent—Excused.

Grinnan.

PAIRED.

Senator Davidson of DeWitt, present, who would vote *nay*, with Senator Turner, absent, who would vote *yea*.

SECOND HOUSE MESSAGE.

The following second House message was delivered to the Senate:

Hall of the House of Representatives.
Austin, Texas, March 5, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has adopted Senate Concurrent Resolution No 10, relating to the selection of a State flower of Texas.

Also House Concurrent Resolution No. 18, relating to the printing and the binding of the Rules.

Also House Concurrent Resolution No. 19, relating to the printing of the General Laws of Texas.

Respectfully,

LEE J. ROUNTREE,
Chief Clerk House of Representatives.

SENATE JOINT RESOLUTION NO. 3
—HOUSE AMENDMENTS
ADOPTED.

Senator Davidson of DeWitt called up Senate Joint Resolution No. 3, Amend-

ing Article 6, Section 2, of the Constitution of the State of Texas, requiring all persons subject to a poll tax to have paid a poll tax and to hold a receipt for same before they offer to vote at any election in this State and fixing the time of payment of said tax.

The Chair (Senator Stafford) then laid the resolution before the Senate, with the following House amendments:

(1) "Amend by adding after the word 'election,' on page 2, line 8, the following: 'Or if said voter shall have lost or misplaced said tax receipt he shall be entitled to vote upon making affidavit before any officer authorized to administer oaths that such tax receipt has been lost.'"

(2) "Amend by adding: 'Such affidavit shall be made in writing and left with the judge of the election.'"

(3) "Amend the bill by striking out the word 'of' after the figure '6,' in line 20, page 11, of the bill."

(4) "Amend by adding to Section 2 the following: 'And this provision of the Constitution shall be self-enacting without the necessity of further legislation.'"

Amendments were read, and adopted by the following vote:

Yeas—26.

Beaty.	Odell.
Davidson of	Patterson.
DeWitt.	Paulus.
Davidson of	Potter.
Galveston.	Savage.
Dibrell.	Sebastian.
Goss.	Stafford.
Hanger.	Staples.
Harris of Bexar.	Swann.
Harris of Hunt.	Turney.
Lipscomb.	Wayland.
Lloyd.	Wheeler.
Miller.	Wilson.
Neal.	Yett.

Absent.

James.	McGee.
Johnson.	Turner.

Absent—Excused.

Grinnan.

Senator Davidson of DeWitt moved to reconsider the vote by which the House amendments to the resolution were adopted, and lay that motion on the table.

Motion to table prevailed.

HOUSE CONCURRENT RESOLUTION NO. 18—ON ADOPTION.

Senator Potter called up
House Concurrent Resolution No. 18

(see second House message), relating to the printing and binding of the Rules.

The resolution was read, and adopted.

SENATE BILL NO. 221—ON SECOND READING.

On motion of Senator Miller, the special order of business,

Senate bill No. 13, A bill to be entitled "An Act to define the character and quality of possession of real property which is sufficient to operate as constructive notice of the possessor's right or title thereto,"

Was suspended and the Senate took up, out of its order,

Senate bill No. 221, A bill to be entitled "An Act to amend Article 5243k, Chapter 9, Title CIV, of the Revised Civil Statutes of the State of Texas of 1895, relating to franchise tax of corporations."

The Chair (Senator Stafford) then laid the bill before the Senate, on its second reading.

Bill was read second time, and

Senator Miller offered the following amendment:

"Amend Section 2 by inserting the word 'public,' in line 24, before the word 'necessity.'"

Amendment was read, and adopted, and

Senator Dibrell offered the following amendment:

"Amend the bill by adding after the word 'act,' in line 19, the following: 'Provided, any such fraternal beneficiary association shall pay off and discharge all final judgments rendered against it in this State within sixty days after rendition of any such judgment.'"

Senator Miller here raised the point of order that the foregoing amendment was not germane to the bill.

The Chair (Senator Stafford) sustained the point of order, and

Senator Davidson of DeWitt offered the following amendment:

"Amend by adding after the word 'world,' in line 18, page 1, the following: 'The Brotherhood of Locomotive Engineers, the Brotherhood of Locomotive Firemen, the Brotherhood of Railway Trainmen, the Order of Railway Conductors, and the Order of Railway Telegraphers.'"

Amendment was read, and adopted, and

The bill as amended was ordered engrossed.

On motion of Senator Miller, the constitutional rule requiring bills to be read on three several days was suspended, and

the bill put on its third reading and final passage by the following vote:

Yeas—25.

Beaty.	Patterson.
Davidson of	Paulus.
DeWitt.	Potter.
Dibrell.	Savage.
Goss.	Sebastian.
Hanger.	Stafford.
Harris of Bexar.	Staples.
Harris of Hunt.	Swann.
Lipscomb.	Turney.
Lloyd.	Wayland.
Miller.	Wheeler.
Neal.	Wilson.
Odell.	Yett.

Absent.

Davidson of	Johnson.
Galveston.	McGee.
James.	Turner.

Absent—Excused.

Grinnan.

Bill was read third time, and Senator Potter offered the following amendment:

"Amend the bill by striking out the words 'this act' at end of Section 1 and adding the words 'Article 5243i of the Revised Statutes of the State of Texas of 1895.'"

Amendment was read, and adopted.

The bill was then passed by the following vote:

Yeas—21.

Beaty.	Paulus.
Dibrell.	Potter.
Hanger.	Sebastian.
Harris of Bexar.	Stafford.
Harris of Hunt.	Staples.
Lipscomb.	Turney.
Lloyd.	Wayland.
Miller.	Wheeler.
Neal.	Wilson.
Odell.	Yett.
Patterson.	

Present—Not voting.

Savage.

Absent.

Davidson of	James.
DeWitt.	Johnson.
Davidson of	McGee.
Galveston.	Swann.
Goss.	Turner.

Absent—Excused.

Grinnan.

Senator Miller moved to reconsider the vote by which the bill was passed and lay that motion on the table.

Motion to table prevailed.

SENATE BILL NO. 15—SIGNED.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read,

Senate bill No. 15, "An Act to provide for the selection or appointment of special county judges in condemnation proceedings, as provided for in Chapter 8, Title XCIV, of the Revised Civil Statutes of the State of Texas, when the county judge is disqualified."

SUBSTITUTE HOUSE BILL NO. 11—ON SECOND READING.

On motion of Senator Savage, the special order of business (Senate bill No. 13) was suspended and the Senate took up, out of its order,

Substitute House bill No. 11, A bill to be entitled "An Act to amend Articles 379 and 381, Chapter 3, Title XI, of the Penal Code of the State of Texas."

(Lieutenant-Governor Browning in the chair.)

The Chair then laid the bill before the Senate, on its second reading, with the following committee amendment:

"Amend by inserting between the words 'cards' and 'he,' in Article 379, the following: 'Except in a private residence.'"

Bill was read second time, and the Senate refused to adopt the committee amendment by the following vote:

Yeas—8.

Beaty.	Miller.
Davidson of	Neal.
DeWitt.	Swann.
Dibrell.	Turney.
Hanger.	

Nays—16.

Davidson of	Paulus.
Galveston.	Potter.
Goss.	Savage.
Harris of Bexar.	Sebastian.
Harris of Hunt.	Staples.
Lipscomb.	Wayland.
Lloyd.	Wheeler.
Odell.	Yett.
Patterson.	

Absent.

James.	Stafford.
Johnson.	Turner.
McGee.	Wilson.

Absent—Excused.

Grinnan.

On motion of Senator Dibrell, the special order (Senate bill No. 13) was postponed until tomorrow after conclusion of morning call.

COMMITTEE REPORTS.

(By unanimous consent.)

Committee Room,
Austin, Texas, March 5, 1901.*Hon. J. N. Browning, President of the Senate.*

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 236, being a bill to be entitled "An Act to amend Section 6 of an act entitled 'An Act to define and regulate fraternal beneficiary societies, orders or associations; to prescribe the terms and conditions on which such societies organized under the laws of other States or those doing business in any other State may be permitted to do business in Texas, and to define the duties of the Commissioner of Insurance in this State in relation thereto; providing for the incorporation of societies,' being Chapter 115 of the General Laws passed by the Twenty-sixth Legislature at its Regular Session, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

Floor report.

STAFFORD, Chairman.

Committee Room,
Austin, Texas, March 5, 1901.*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 15, being "An Act to provide for the selection or appointment of special judges in condemnation proceedings, as provided for in Chapter 8, Title XCIV, of the Revised Civil Statutes of the State of Texas, when the county judge is disqualified,"

And find the same correctly enrolled, and have this day, at 12:15 o'clock p. m., presented the same to the Governor for his approval.

WILSON, Chairman.

ADJOURNMENT.

Senator Miller moved that the Senate stand adjourned until 10 o'clock a. m. tomorrow.

Senator Lipscomb moved to recess until 3 o'clock p. m. today.

Action being on the longest time first, the motion of Senator Miller prevailed, and accordingly the Senate, at 12:35 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

THIRTY-FOURTH DAY.

Senate Chamber,
Austin, Tex., Wednesday, March 6, 1901.

Senate met pursuant to adjournment. Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Present—28.

Beaty.	Neal.
Davidson of	Odell.
DeWitt.	Patterson.
Davidson of	Paulus.
Galveston.	Potter.
Dibrell.	Savage.
Goss.	Sebastian.
Hanger.	Stafford.
Harris of Bexar.	Staples.
Harris of Hunt.	Swann.
James.	Turney.
Johnson.	Wayland.
Lipscomb.	Wheeler.
Lloyd.	Wilson.
Miller.	Yett.

Absent—2.

McGee. Turner.

Absent—Excused.

Grinnan.

Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of yesterday,

On motion of Senator Johnson, the same was dispensed with.

EXCUSED.

On motion of Senator Wheeler, Senator James was excused for non-attendance upon the Senate yesterday on account of important business.

PETITIONS AND MEMORIALS.

Senator Harris of Hunt presented a petition from the citizens of Clinton, Texas, asking the passage of a bill regulating the sale of alcoholic stimulants on prescription in local option precincts.

Read, and referred to Committee on State Affairs.

Senator Harris of Hunt presented a petition from the citizens of Clinton, Texas, asking the passage of the bill creating a girls' industrial school, leaving the location of same to the board of regents of said institution, and especially asking that it be not made an annex to the Agricultural and Mechanical College.

Read, and referred to Committee on State Affairs.